

### **346.020 Definitions for chapter.**

As used in this chapter, unless the context otherwise requires:

- (1) "Board" means the Crime Victims Compensation Board;
- (2) "Child" means any person less than eighteen (18) years of age;
- (3) "Claimant" means any of the following claiming compensation under this chapter: a victim, a dependent of a deceased victim, a third person other than a collateral source, or an authorized person acting on behalf of any of them who is legally responsible for the expenses incurred by the victim as a result of the crime committed against the victim;
- (4) "Criminally injurious conduct" means conduct that occurs or is attempted in this jurisdiction, poses a substantial threat of personal physical, psychological injury, or death, and is punishable by fine, imprisonment, or death. Criminally injurious conduct shall include an act of terrorism, as defined in 18 U.S.C. sec. 2331, committed outside of the United States against a resident of Kentucky. Acts which, but for the insanity or mental irresponsibility or lack of capacity of the perpetrator, would constitute criminal conduct shall be deemed to be criminally injurious conduct. The operation of a motor vehicle, motorcycle, train, boat, aircraft, or other vehicle in violation of law does not constitute a criminally injurious conduct unless the injury or death was intentionally inflicted or involved a violation of KRS 189A.010, driving under the influence;
- (5) "Family," when used with reference to a person, shall mean:
  - (a) Any person related to such person within the third degree of consanguinity;
  - (b) Any person maintaining a sexual relationship with such person; or
  - (c) Any person residing in the same household with such person; and
- (6) (a) "Victim" means a needy person who suffers personal physical or psychological injury or death from a criminal act in Kentucky as a result of:
  1. Criminally injurious conduct;
  2. A good faith effort to prevent criminally injurious conduct; or
  3. A good faith effort to apprehend a person reasonably suspected of engaging in criminally injurious conduct.
- (b) "Victim" shall also mean a resident who is a victim of a crime occurring outside this state if:
  1. The crime would be compensable had it occurred inside this state; and
  2. The crime occurred in a state which does not have a crime victim compensation program, for which the victim is eligible as eligibility is set forth in KRS 346.050.
- (c) "Victim" shall also mean a resident of this state who is injured or killed by an act of terrorism, as defined in 18 U.S.C. sec. 2331, committed outside the United States.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 368, sec. 1, effective July 15, 1998. -- Amended 1990 Ky. Acts ch. 409, sec. 1, effective July 13, 1990. -- Amended 1986 Ky. Acts ch. 299, sec. 2, effective July 15, 1986. -- Amended 1984 Ky. Acts ch. 165, sec. 22, effective July 13, 1984; and ch. 382, sec. 17, effective July 13, 1984. -- Amended 1980 Ky. Acts ch. 172, sec. 1, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 213, sec. 2, effective June 17, 1978. -- Created 1976 Ky. Acts ch. 263, sec. 2.